



BOARD OF COMMISSIONERS

1 S. Main St., 8th Floor
Mount Clemens, Michigan 48043
586.469.5125 FAX 586.469.5993
macombcountymi.gov/boardofcommissioners

JUNE 16, 2011

NOTICE OF MEETING

There will be a meeting of the **BOARD OF COMMISSIONERS** on Thursday, June 23, 2011, at **7 p.m.**, on the 9th Floor of the County Administration Building, in the Commissioners' Board Room, Mount Clemens.

(Invocation this month is by Commissioner James Carabelli)

TENTATIVE AGENDA

1. Presentation to 2011 Volunteer Winners (attached)
2. **COMMITTEE REPORTS:**
 - a) Special Finance, June 7 (attached)
 - b) Board Operations, June 14 (attached)
3. Correspondence from Executive
4. **PROCLAMATIONS:**
 - a) In Support of SMART (Suburban Mobility Authority for Regional Transportation) and Their Efforts in Resolving Emerging Financial Issues, as well as Call for the Creation of a Regional Transit Authority (offered by Mocerì; include Flynn; recommended by Economic Development Committee on 6-16-11; awaiting background information)

In addition to the agenda items listed, a committee report is anticipated from the following committee meetings: Economic Development, June 16 and Finance, June 21.

Any other matters that require Full Board consideration and the reports listed above will be attached to your official Full Board agenda.

Corinne Bedard
Committee Reporter

MACOMB COUNTY BOARD OF COMMISSIONERS

Kathy D. Vosburg
District 8
Chair

Marvin E. Sauger
District 2
Vice Chair

Fred Miller
District 9
Sergeant-At-Arms

Toni Mocerì - District 1

David Flynn - District 4

James L. Carabelli - District 6

Roland R. Frascetti - District 10

Bob Smith - District 12

Phillip A. DiMaria - District 3

Ray Gralowski - District 5

Don Brown - District 7

Kathy Tocco - District 11

Joe Sabatini - District 13

Winners with Organization and Commissioner

Don Brown

Robin Boeling	St. Peter Lutheran Church/School
Dobbie Kelley	The Village Assisted Living
Nancy Nevers	Shelby-Macomb Daybreakers Kiwanis
Maxine Sobetski	Head Start
Barbara Trbovich	Agape Center
Vincent Wagner	American Cancer Society Relay for Life/St. Baldricks Foundation for Juvenile Cancer Research

James L. Carabelli

Joann Burgess	Shadbrush Nature Center
Michael Ward	CLT/Lions Club/Special Olympics
Edward F. Young	RACES (Radio Amateur Civil Emergency Service)

Phillip A. DiMaria

Beulah Banks	Pastor James Friedman
Judy Betts	Macomb Literacy Partners

David Flynn

Randy Crowell	Sterling Heights High Noon Kiwanis Club
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Roland Franschetti

Diane Bloch	Boy Scouts, Girl Scouts, Jobs Daughter Intl, DeMoley, Eastern Star
Michael Clancy	St. Isaac Jogues Parish/School
Madelynn Cudney	Optimist Club of St. Clair Shores
Ermira Henry	In-House Hospice & Palliative Care
Donna Liccardello	South Lake Schools
Gerald Menzel	Lighthouse Mission
Jan Windemuth	Ardmore Elementary School

Ray Gralewski

Traci Adamczyk	Bishop Foley Science Olympiad Program
Denise Hauer	Flynn Middle School
Gary Lusk	St. Lawrence Parish Community
Larry Prosocki	East Detroit/Roseville American Legion Post 261
James Waldrop	Friends of the Sterling Heights Public Library
Joan Waldrop	Friends of the Sterling Heights Public Library

Fred Miller

Nancy Dedenbach	Mt. Clemens Rotary Club
Sandy Dennis	Angel Food Ministries
Gail LaCroix	Graham Elementary School
Barb Parker	MCFARES, Special Olympics, Trinity Lutheran Church
Susan Silver	MSU Extension

Toni Moceri

Ward Bartlett
Sigrid Dale

Student Leadership Services, Inc.
Gray Panthers of Metro Detroit

Joe Sabatini

Mike Bates
Doreen Chorazyczewski
Randy Lentini
Bette Nebel
Michael Saigh

Dakota High School Girl's Basketball
Fox Elementary School
St. Peter's Catholic Church
Higgins Elementary School
Sterling Heights Rotary Club and St. Therese of Lisieux Church

Marvin Sauger

Louis E. Joseph
Tom Marchand
Tim Stockard

Archdiocese of Detroit
Macomb Oakland Regional Center
Hope Center in Macomb

Bob Smith

William Colaiuta
Arthur Kubiak
Lynda Locke
Doris Modrak
Jim Pinello

David L. Dawson
Meals on Wheels
Clinton-Macomb Public Library
Clinton Township Area Optimist Club
Erin Presbyterian Church

Kathy Tocco

Joann Brown
Celeste Lombardo
Deanna Mielke
Nancy Panther
April Wojciechowski

Society of St. Vincent de Paul - St. Athanasius Church
Catholic Services of Macomb - RSVP
Eisenhower Elementary School
St. Vincent De Paul Sacred Heart Conference
Thomas Edison Elementary School

Kathy D. Vosburg

Carol Gillis
Sue Grimaudo
Anne Nicolazzo

Nancy Reinke
Darla Taravella
Michelle Wypiszewski

Friends of Chesterfield Library
Chesterfield Township Beautification Committee
American Cancer Society, Carehouse, Wigs4Kids, St. Baldrick's,
Explorers-Mounted Div.
Dean A. Naldrett Elementary School
Atwood Elementary School
Turning Point

RECYCLABLE PAPER



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June 7, 2011

TO: BOARD OF COMMISSIONERS

**FROM: DON BROWN, CHAIR
FINANCE COMMITTEE**

**RE: RECOMMENDATIONS FROM SPECIAL FINANCE COMMITTEE
MEETING OF JUNE 7, 2011**

At a special meeting of the Finance Committee, held Tuesday, June 7, 2011, the following recommendations were made and are being forwarded to the Full Board for approval:

1. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A MOTION WAS MADE BY CARABELLI, SUPPORTED BY VOSBURG, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS CONCUR IN THE REQUEST OF THE MACOMB COUNTY PROVIDER ALLIANCE (MCPA) AND APPROVE A TWO-YEAR EXEMPTION, FOR THE PERIOD SEPTEMBER 30, 2011 THROUGH OCTOBER 1, 2013, FROM THE REQUIREMENTS OF THE LIVING WAGE POLICY FOR ALL ORGANIZATIONS THAT ARE MEMBERS OF THE MCPA AND WHICH CONTRACT WITH MACOMB COUNTY COMMUNITY MENTAL HEALTH; FURTHER, A COPY OF THIS BOARD OF COMMISSIONERS' ACTION IS DIRECTED TO BE DELIVERED FORTHWITH TO THE OFFICE OF THE COUNTY EXECUTIVE. **THE MOTION CARRIED.**

2. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A MOTION WAS MADE BY VOSBURG, SUPPORTED BY SAUGER, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS CONCUR WITH THE RECOMMENDATION OF CORPORATION COUNSEL REGARDING ATTORNEY/CLIENT PRIVILEGED MEMORANDUM DATED JUNE 6, 2011, CONTINGENT UPON PRESENTATION OF ADDITIONAL CONDITIONS; FURTHER, A COPY OF THIS BOARD OF COMMISSIONERS' ACTION IS DIRECTED TO BE DELIVERED FORTHWITH TO THE OFFICE OF THE COUNTY EXECUTIVE. **THE MOTION CARRIED WITH CARABELLI VOTING "NO".**

A MOTION TO ADOPT THE COMMITTEE REPORT WAS MADE BY CHAIR BROWN, SUPPORTED BY VICE-CHAIR MILLER.

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RESOLUTION NO. _____ FULL BOARD MEETING DATE: _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

***SEE BELOW**

RESOLUTION TO concur in the request of the Macomb County Provider Alliance (MCPA) and approve a permanent exemption from the requirements of the Living Wage Policy for all organizations that are members of the MCPA and which contract with Macomb County Community Mental Health

INTRODUCED BY Commissioner Don Brown, Chair, Finance Committee

***At the 6-7-11 meeting, the following friendly amendments were approved:**

Approve a two-year exemption for the period September 30, 2011 through October 1, 2013.

COMMITTEE/MEETING DATE

Finance	<u>06-07-11</u>
Full Board	<u>06-23-11</u>



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June 14, 2011

TO: BOARD OF COMMISSIONERS

**FROM: KATHY TOCCO, CHAIR
BOARD OPERATIONS COMMITTEE**

**RE: RECOMMENDATION FROM BOARD OPERATIONS
COMMITTEE MEETING OF JUNE 14, 2011**

At a meeting of the Board Operations Committee, held Tuesday, June 14, 2011, the following recommendation was made and is being forwarded to the Full Board for approval:

1. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A MOTION WAS MADE BY DIMARIA, SUPPORTED BY CARABELLI, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS ADOPT AN ORDINANCE TO PROVIDE FOR THE CODIFICATION OF ORDINANCES AND THE PRESERVATION AND INDEXING OF RESOLUTIONS; FURTHER, A COPY OF THIS BOARD OF COMMISSIONERS' ACTION IS DIRECTED TO BE DELIVERED FORTHWITH TO THE OFFICE OF THE COUNTY EXECUTIVE. **THE MOTION CARRIED.**

A MOTION TO ADOPT THE COMMITTEE REPORT WAS MADE BY CHAIR TOCCO, SUPPORTED BY VICE-CHAIR CARABELLI.

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RESOLUTION NO. _____

FULL BOARD MEETING DATE: _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO adopt an ordinance to provide for the codification of ordinances and the preservation and indexing of resolutions

INTRODUCED BY: Kathy Tocco, Chair, Board Operations Committee

COMMITTEE/MEETING DATE

Board Operations 6-14-11

Full Board 6-23-11

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**ENROLLED ORDINANCE
NO. 2011- 3**

INTRODUCED BY COMMISSIONER(S):

AN ORDINANCE TO PROVIDE FOR THE CODIFICATION OF ORDINANCES AND THE PRESERVATION AND INDEXING OF RESOLUTIONS.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CHARTER COUNTY OF MACOMB:

SECTION 1 Designation and Citation of Code

This codification of ordinances shall be known and cited as the "Code of Ordinances, County of Macomb, Michigan" or the "Macomb County Code".

SECTION 2 Definitions

In the construction of this Code and of all the ordinances of the county, the following definitions shall be observed, unless they are inconsistent with the intent of the commission or the context clearly requires otherwise:

Charter. The word "Charter" shall mean the Charter of the County of Macomb, Michigan adopted June 17, 2009 and shall include any amendment to such Charter.

Code. The expression "Code" or "this Code" shall mean the Code of Ordinances, County of Macomb, Michigan as designated in Section 1 and as modified by amendment, revision and by the adoption of new chapters, articles, divisions or sections.

Commission. The word "commission" shall mean the commission of the County of Macomb, Michigan as created by Charter section 4.1

County. The term "the county" or "this county" shall mean the County of Macomb in the state of Michigan.

County board of commissioners. The term "county board of commissioners" means the commission.

County executive. The term "county executive" means the chief executive officer as created by Charter section 3.1

SECTION 3 Codification

The Charter and all ordinances and resolutions of the Commission are adopted, enacted as, and entitled as the Code of Ordinances, County of Macomb, Michigan and shall be preserved and indexed. One book-form of the Code shall be certified as correct by the Macomb County

Clerk and kept at the Office of the Macomb County Clerk for review during normal County business hours.

All ordinances and resolutions enacted prior to January 1, 2011, which are inconsistent with any provision of the Code, are hereby repealed as of the effective date of this ordinance, except as follows:

A. The enactment of the Code shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment or prosecution for an act committed in violation of any such legislative provision. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

B. The repeal provided above shall not affect:

1. The grant or creation of a franchise, license, right, easement or privilege;
2. The purchase, sale, lease or transfer of property;
3. The appropriation or expenditure of money or promise or guarantee of payment;
4. The assumption of any contract or obligation;
5. The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
6. The levy or imposition of taxes, assessment or charges;

SECTION 4 Supplementation of Code

By contract or by county personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the commission. A supplement to the Code shall include all substantive permanent and general parts of ordinances adopted during the period covered by the supplement and all changes made in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.

In preparing a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by the omission from reprinted pages.

When preparing a supplement to this Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified Code. For example, the codifier may:

1. Organize the ordinance material into appropriate subdivisions;
2. Provide appropriate catchlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles;
3. Assign appropriate numbers to sections and other subdivisions to be inserted in the

Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;

4. Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections ;#rule; to ;#rule;" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code); and

5. Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the Code; but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

SECTION 5 Amendments to Code—Effect.

Any and all additions and amendments to this Code, when passed in such form as to indicate the intention of the commission to make the same a part of this Code, shall be deemed to be incorporated in this Code so that reference to the "Code of Ordinances, County of Macomb, Michigan," shall be understood and intended to include such additions and amendments.

SECTION 6 Amendment to Code—Manner.

All ordinances passed subsequent to the adoption of this Code that amend this Code may be numbered in accordance with the numbering system of this Code and printed for inclusion in the Code. In the case of repealed chapters, sections, subsections, of parts of sections, the repealed portions may be excluded from the Code by omission from the affected reprinted pages. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances until such time that this Code and subsequent ordinances numbered or omitted are readopted as a new Code of Ordinances by the county commission.

SECTION 7 Amendment to Code—Language.

Amendments to any of the provisions of this Code should be made by amending such provisions by specific reference to the section of this Code in substantially the following language: "That section ;#rule; of the Code of Ordinances, County of Macomb, Michigan, is hereby amended to read as follows:(*Set out new provisions in full*)."

SECTION 8 Amendment to Code—New material.

If a new section is to be added to the Code, the following language may be used: "That the Code of Ordinances, County of Macomb, Michigan, is hereby amended by adding a section (or article, chapter or other designation as the case may be), to be numbered, ;#rule;, which reads as follows:(*Set out new provisions in full*)."

When the county commission desires to enact an ordinance of a general and permanent nature embracing a subject not previously existing in the Code, which the commission desires to incorporate into the Code, a provision in substantially the following language may be made part of such ordinance: "It is the intention of the county commission, and it is hereby ordained, that the provisions of this ordinance shall become and be made part of the Code of Ordinances, County of Wayne, Michigan, and the sections of this ordinance may be renumbered to accomplish such intention."

DRAFT

DRAFT

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SECTION 9 Amendment to Code—Repeal.

All sections, articles, chapters or other provisions of this Code desired to be repealed should be specifically repealed by section number, article number, chapter or other number, as the case may be.

SECTION 10 Severability

This ordinance and each of the various parts, sections, subsections, sentences, phrases and clauses are declared to be severable and if any such part is declared invalid, the remaining portions of this ordinance shall be in full force and effect.

SECTION 12 Captions

Headings and captions used in this Code are employed for reference purposes only and shall not be deemed a part of the text of any section and do not limit the subject matter.

SECTION 13 Reference to other sections

Whenever in one section reference is made to another section of this Code, such reference shall extend and apply to the section referred to as subsequently amended, revised, recodified or renumbered, unless the subject matter is changed or materially altered by the amendment or revision.

SECTION 14 Immediate effect

This ordinance shall be effective immediately